

## Remarks

Claims 1-13 are pending in the application. Claims 1-13 are rejected. All rejections are respectfully traversed.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeo et al. ("Rapid Scene Analysis on Compressed Video") in view of Ganser et al. (U.S. Patent No. 4,953,106). The rejection is respectfully traversed.

In sections 1-3 of the Final Rejection, the Examiner restates the identical reasons for rejection expressed in the previous Office Action mailed on February 10, 2005. In the interest of brevity, the remarks included in the Request for Reconsideration submitted on June 9, 2005, are incorporated herein by reference, and it is respectfully requested that they be considered part of this response as though fully set forth herein.

In section 4, "Response to Arguments," the Examiner attempts to provide additional clarification of her reasoning for the rejection of claim 1, in response to the Applicants arguments in the Request for Reconsideration submitted on June 9, 2005.

In particular, regarding claim 1, the Examiner has misrepresented what is stated in the reference. For the step of extracting and associating features of the objects to produce content entities, the Examiner cites Yeo at page 533, left column, 2<sup>nd</sup> paragraph, below:

interactive multimedia systems. There is an urgent need to automatically extract key informations from images and videos for the purpose of indexing, fast and easy retrievals, and scene analysis.

It would be readily apparent to a person of ordinary skill in the art that the above is a problem statement, not a solution. The lack of a solution is evidenced in the beginning of the sentence, i.e., “*There is an urgent need...*” No solution is provided there that teaches what is claimed.

The Examiner has inserted single words from the reference into the claimed element, which misrepresents Yeo’s stated “*urgent need*” as a solution, see below:

Applicant “*requested to specifically point out which words mean extracting and associating of the objects to produce content entities.*” (Remarks, page 4, 1<sup>st</sup> para.)

In response, Yeo discloses extracting (*extract*) and associating (*indexing*) features (*key informations*) of the objects to produce content entities (*page 533, left col.*).

A comparison of the rejection above to the referenced section below, shows the Examiner’s misrepresentation, see Yeo, below:

interactive multimedia systems. There is an urgent need to automatically extract key informations from images and videos for the purpose of indexing, fast and easy retrievals, and scene analysis.

Not only does the section pose an “*urgent need*” and not a solution, but the Examiner’s insertions are *out of order and context* as they appear in Yeo. The Applicant’s respectfully request the rejection be reconsidered and withdrawn.

Further still, the Examiner has failed to cite any section of the reference that teaches, suggests, shows or describes content entities. In her response, the Examiner asserts the following:

Applicant argues that *Yeo does not teach content entities*. (Remarks, page 4, 2<sup>nd</sup> para.)

In response, Yeo does teach content entities (*image attributes; page 543, sec. vii*).

The scope of the claimed “*content entities*” clearly transcends the more narrow scope that Applicant attempts to impute through argument. Claimed subject matter, not the specification is the measure of the invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art, *In re Self*, 213 USPQ 1 (CCPA 1982), *In re Priest*, 199 USPQ 11 (1978). The recited “*content entities*” is clearly subject to a broad interpretation as detailed in the rejections maintained above. The Examiner has a duty and responsibility to the public and to Applicant to interpret the claims as broadly as reasonably possible during prosecution. *In re Prater*, 415 F.2d 1 393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

The Examiner’s assertion that the Applicants attempted to impute a more narrow definition of “content entity” as it appears in the claims is false. Page 4, 2<sup>nd</sup> paragraph of the Applicants’ response takes nothing from the specification. The claim is described using claim language, see below:

Page 4, 2<sup>nd</sup> paragraph “*Further, the Examiner points to section VII of Yeo as describing measuring **image attributes** for image compression. Claimed is measuring **content entity attributes**, the content entities derived from extracted and associated **features of the objects** extracted from the multimedia content. Yeo does not teach content entities.*”

Perhaps the Examiner's problem lies with the words "*derived from*." If that is the case, the Applicants suggest they be replaced with "*produced by*," which says the same thing and uses only claim language. The Applicants re-assert that Yeo teaches image attributes for image compression. As clearly recited in claim 1, extracting and associating features of objects, the objects extracted from multimedia content, produces content entities. Yeo never teaches content entities. None of the Applicants' arguments impute a narrower scope for content entities than what is claimed. The Examiner has simply failed to show that Yeo teaches what is claimed.

The last element that the Examiner addresses in her response is *measuring attributes of each content entity*, see below:

Applicant argues that *Yeo never describe measuring attributes of content entities derived from extracted and associated features of the objects extracted from the multimedia content*. (Remarks, page 5, last para.)

In response, Applicant is reminded that claimed subject matter, not the specification is the measure of the invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art. See In re Self, 213 USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978). Yeo does meet measuring attributes of each content entity (*image attributes such as color histogram can be precomputed; page 543, sec. vii*).

The Applicants again assert that the Applicants' arguments never attempted read limitations from the specification into the claims. What is true is that

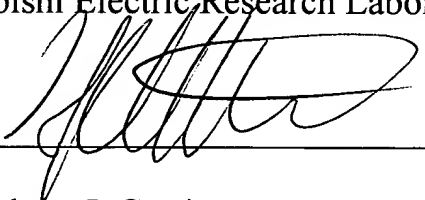
the Examiner has failed to show that precomputing a color histogram in any way teaches measuring attributes of each content entity, as claimed.

As stated above, the remarks included in the Request for Reconsideration submitted on June 9, 2005, are incorporated herein by reference, and it is respectfully requested that they be considered part of this response, as though fully set forth herein.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-0749.

Respectfully submitted,  
Mitsubishi Electric Research Laboratories, Inc.

By

A handwritten signature in dark ink, appearing to read "A. Curtin", is written over a horizontal line.

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